

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Justin's Cafe, LLC	
t/a Justin's Cafe	Show Cause
1025 1st Street, SE	Hearing
Retailer CR - ANC-6D	(Status)
License No. 83690	
Case #13-AUD-00087	
(Failed to Maintain Books and	
Records, Failed to Qualify	
as a Restaurant)	

May 7, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

LOUISE PHILLIPS, OAG

P-R-O-C-E-E-D-I-N-G-S

(9:58 a.m.)

CHAIRPERSON MILLER: The next case on the calendar is Case No. 13-AUD-00087, Justin's Cafe located at 1025 1st Street, S.E., License No. 83690, in ANC-6D.

MR. ROSS: Good morning.

CHAIRPERSON MILLER: Good morning.

MS. PHILLIPS: Louise Phillips, Assistant Attorney General for the District of Columbia.

CHAIRPERSON MILLER: Good morning. Would you introduce yourself for the record?

MR. ROSS: Yes. Justin Ross, owner of Justin's Cafe.

CHAIRPERSON MILLER: Okay. Good morning. Mr. Ross, did you receive notice of this hearing?

MR. ROSS: Yes, ma'am.

CHAIRPERSON MILLER: Okay. Did you read it and understand it?

MR. ROSS: Yes.

1 CHAIRPERSON MILLER: All right.

2 So that notice is part of this record.

3 (Whereupon, the document was
4 marked for identification as
5 Exhibit 1 and was received in
6 evidence.)

7 CHAIRPERSON MILLER: Are there any
8 preliminary matters in this case?

9 MS. PHILLIPS: Actually, there
10 are. And because of the nature of them and
11 this was not my case, probably since it's very
12 similar to the other ones, the owner will
13 agree to them if I can just state them on the
14 record first and then he can agree.

15 And the reason I'm doing this is
16 because the District will dismiss Charge 2 and
17 according to the statutory scheme, a warning
18 should be issued for Charge 1.

19 CHAIRPERSON MILLER: Okay.

20 MS. PHILLIPS: I assume you agree
21 to that?

22 MR. ROSS: Yes.

1 CHAIRPERSON MILLER: Do you want
2 to just say why?

3 MS. PHILLIPS: Yes.

4 CHAIRPERSON MILLER: Okay.

5 MS. PHILLIPS: This is a books and
6 records charge and the second charge flows
7 from that. The books and records charges if
8 it's a first one, it's now a mandatory warning
9 under the new statutory scheme.

10 CHAIRPERSON MILLER: Okay. Any
11 questions by Board Members?

12 Mr. Ross, are you agreeable to an
13 offer in compromise in which Charge 2 is
14 dismissed and you get a warning for Charge 1?

15 MR. ROSS: Yes.

16 CHAIRPERSON MILLER: You are
17 agreeable to that?

18 MR. ROSS: Yes.

19 CHAIRPERSON MILLER: And you know
20 this waives your right to a hearing?

21 MR. ROSS: Yes.

22 CHAIRPERSON MILLER: Okay. All

1 right. Then I would move that we approve this
2 offer in compromise of dismissal of Charge 2
3 and warning for Charge 1. Do I have a second?

4 MEMBER BROOKS: Second.

5 CHAIRPERSON MILLER: Mr. Brooks
6 has seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? The motion
11 passes 6-0-0.

12 Okay. Thank you.

13 (Whereupon, the Show Cause
14 (Status) Hearing in the above-entitled matter
15 was concluded at 10:01 a.m.)

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